

EXHIBIT A

DE FRANK LAW GROUP, LLC.
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Attorneys for Plaintiff

PATRICIA SERRA, <i>Plaintiff,</i> v. CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties), <i>Defendant(s).</i>	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: ESSEX COUNTY DOCKET NO.: ESX-L- <i>Civil Action</i> COMPLAINT, DEMAND FOR TRIAL BY JURY, DESIGNATION OF TRIAL ATTORNEY, DEMAND FOR ANSWERS TO INTERROGATORIES; NOTICE TO PRODUCE
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Plaintiff, **PATRICIA SERRA**, residing in **POMPTON LAKES, NEW JERSEY**,
complaining against **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI,
HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE
STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888,
THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP
SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE
USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties),**

ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties),
through counsel says the following:

FIRST COUNT

1. On or about **March 28, 2020**, Plaintiff **PATRICIA SERRA**, was caused to be injured/burned due to a defective **CHINET HOT CUP**.

2. At all relevant times herein, **DEFENDANTS CHINET and THE CHINET BRAND** has its principal place of business in De Soto, KS.

3. At all relevant times herein, **DEFENDANTS HUHTAMAKI, HUHTAMAKI AMERICAS, INC.** is a company/corporation based in Finland.

4. At all relevant times herein, **DEFENDANTS THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC.**, conduct business in the state of New Jersey, including Essex County.

5. At all relevant times, **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT**

MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties), violated the New Jersey Product Liability Act in that it designed, manufactured, created, distributed, marketed, produced, inspected, maintained, serviced, packaged and/or sold a defective product that was inappropriate for its intended use including, but not limited to, a product with inadequate design, insufficient warnings, inadequate instructions, and inadequate safety features.

6. The acts and/or omissions of **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties)**, as aforesaid, violated the New Jersey Product Liability Act, N.J.S.A. 2A:58C-1, et seq, in that it **and other applicable PRODUCTS LIABILITY ACTS IN THE FORM OF A Chinet cup/hot cup.**

7. As the direct and proximate result of the violation of the NEW JERSEY Product Liability Act, as aforesaid, by **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY**

LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties), PLAINTIFF was/were caused to suffer serious and permanent personal injuries. She has suffered and will in the future suffer great pain, she has and will in the future be forced to incur medical expenses; and she has and will in the future be unable to pursue her normal daily activities as before.

WHEREFORE, Plaintiff, demands judgment against the **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties)**, jointly, severally or in the alternative in the amount of her damages together with interest and costs of suit.

SECOND COUNT

1. Plaintiff repeats and re-alleges each and every allegation of the previous Counts herein and makes the same a part hereof.

2. At all relevant times, **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP &**

SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties), negligently, carelessly, and/or recklessly designed, manufactured, created, distributed, marketed, produced, inspected, serviced, maintained, packaged and/or sold a defective product that was inappropriate for its intended use.

3. At all relevant times, **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties), negligently, carelessly, and/or recklessly designed, manufactured, created, distributed, marketed, produced, inspected, serviced, maintained, packaged and/or sold a defective product such as a Chinet cup/hot cup.**

4. As the direct and proximate result of the violation of the NEW JERSEY Product Liability Act, N.J.S.A. 2A:58C-1, as aforesaid, by **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP &**

SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties), PLAINTIFF was caused to suffer serious and permanent personal injuries. She has suffered and will in the future suffer great pain, she has and will in the future be forced to incur medical expenses; and she has and will in the future be unable to pursue her normal daily activities as before.

WHEREFORE, Plaintiff, demands judgment against the **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties)**, jointly, severally or in the alternative in the amount of his damages together with interest and costs of suit.

THIRD COUNT

1. Plaintiff repeats and re-alleges each and every allegation of the previous Counts herein and makes the same a part hereof.

2. At said time and place, Plaintiff, **PATRICIA SERRA**, was caused to be injured as a result of a defective cup due to the negligence, carelessness, and/or recklessness of the Defendants, **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties).**

3. At all relevant times, **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties)**, violated, including, but not limited to, the New Jersey Product Liability Act in that it designed, manufactured, created, distributed, marketed, produced, inspected, packaged and/or sold a defective product that was inappropriate for its intended use including, but not limited to, a product with inadequate design, insufficient warnings, inadequate instructions, and inadequate safety features.

4. The acts/omissions of **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties)**, as aforesaid, violated, including, but not limited to, the **New Jersey Product Liability Act, N.J.S.A. 2A:58C-1, et seq. and other applicable PRODUCTS LIABILITY ACTS IN THE FORM OF a Chinet cup/hot cup.**

5. As the direct and proximate result of violations of the **NEW JERSEY Product Liability Act**, as aforesaid, by **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties)**, **PLAINTIFF** was caused to suffer serious and permanent personal injuries. She has suffered and will in the future suffer great pain, she has and will in the future

be forced to incur medical expenses; and she has and will in the future be unable to pursue her normal daily activities as before.

WHEREFORE, Plaintiff, demands judgment against the **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties)**, jointly, severally or in the alternative in the amount of her damages together with interest and costs of suit.

FOURTH COUNT

1. Plaintiff repeats and re-alleges each and every allegation of the previous Counts herein and makes the same a part hereof

2. At all relevant times, **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS**

1-10 (fictitious parties), negligently, carelessly, and/or recklessly designed, manufactured, created, distributed, marketed, produced, inspected, serviced, maintained, packaged and/or sold a defective product that was inappropriate for its intended use.

3. At all relevant times, **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties)**, negligently, carelessly, and/or recklessly designed, manufactured, created, distributed, marketed, produced, inspected, serviced, maintained, packaged and/or sold a defective product such as a Chinet cup/hot cup.

4. The acts/omissions of **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties)**, as aforesaid, violated, including, but not limited to, the New Jersey

Product Liability Act, N.J.S.A. 2A:58C-1, et seq, and other applicable PRODUCTS LIABILITY ACTS IN THE FORM OF a Chinet cup/hot cup.

5. As the direct and proximate result of violations of the NEW JERSEY Product Liability Act, as aforesaid, by **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT DISTRIBUTORS 1-10 (fictitious parties)**, PLAINTIFF was caused to suffer serious and permanent personal injuries. She has suffered and will in the future suffer great pain, she has and will in the future be forced to incur medical expenses; and she has and will in the future be unable to pursue her normal daily activities as before.

WHEREFORE, Plaintiff, demands judgment against the **DEFENDANTS CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP & SHOP SUPERMARKET #2818, THE STOP & SHOP SUPERMARKET #0860, THE STOP & SHOP SUPERMARKET #0888, THE STOP & SHOP SUPERMARKET COMPANY LLC., THE STOP & SHOP SUPERMARKET LLC., THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., JOHN DOES 1-10 (fictitious parties), JANE DOES 1-10 (fictitious parties), ABC CORPS. 1-10 (fictitious parties), TUV PAPER PRODUCT MANUFACTURERS 1-10 (fictitious parties), XYZ PAPER PRODUCT**

DISTRIBUTORS 1-10 (fictitious parties), jointly, severally or in the alternative in the amount of her damages together with interest and costs of suit.

DE FRANK LAW GROUP, LLC.
Attorneys for Plaintiff

/s/ Peter J. De Frank

Dated: March 27, 2022

BY: _____
PETER DE FRANK, ESQ.

JURY DEMAND

Pursuant to R. 1:8-2(b), Plaintiff hereby demands a Trial by Jury on all the issues raised in the within Pleadings.

DE FRANK LAW GROUP, LLC.
Attorneys for Plaintiff

/s/ Peter J. De Frank

Dated: March 27, 2022

BY: _____
PETER DE FRANK, ESQ.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, PETER J. DE FRANK, is designated as trial counsel.

TIME UNIT RULE

Plaintiff(s) intend to use the Time Unit Rule Pursuant to R. 1:7-1(b).

CERTIFICATION

I hereby certify that the matter in controversy is not the subject of any other action pending in any Court or of a pending arbitration proceeding, nor is any such action or proceeding presently contemplated.

DE FRANK LAW GROUP, LLC.
Attorneys for Plaintiff

/s/ Peter J. De Frank

Dated: March 27, 2022

BY: _____
PETER DE FRANK, ESQ.

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Attorneys for Plaintiff

PATRICIA SERRA,

Plaintiff,

v.

**CHINET, THE CHINET BRAND,
HUHTAMAKI, HUHTAMAKI AMERICAS,
INC., THE STOP & SHOP SUPERMARKET
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#0860, THE STOP & SHOP SUPERMARKET
#0888, THE STOP & SHOP SUPERMARKET
COMPANY LLC., THE STOP & SHOP
SUPERMARKET LLC., THE STOP & SHOP
COMPANY LLC., AHOLD DELHAIZE USA,
INC., JOHN DOES 1-10 (fictitious parties),
JANE DOES 1-10 (fictitious parties), ABC
CORPS. 1-10 (fictitious parties), TUV PAPER
PRODUCT MANUFACTURERS 1-10
(fictitious parties), XYZ PAPER PRODUCT
DISTRIBUTORS 1-10 (fictitious parties),**

Defendant(s).

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY**

DOCKET NO.: ESX-L-

Civil Action

**DEMAND FOR THE DISCOVERY OF
INSURANCE COVERAGE**

Pursuant to R. 4:10-2(b), demand is hereby made that the Defendants, disclose to the undersigned whether there are any insurance agreements or policies under which any person of firm carrying on an insurance business may be liable to satisfy part or all of the judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment. This request applies also to information regarding excess, umbrella, or other supplemental insurance policies available to each Defendant.

DE FRANK LAW GROUP, LLC.
Attorneys for Plaintiff

/s/ Peter J. De Frank

Dated: March 27, 2022

BY: _____
PETER DE FRANK, ESQ.

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Attorneys for Plaintiff

PATRICIA SERRA,

Plaintiff,

v.

**CHINET, THE CHINET BRAND,
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CORPS. 1-10 (fictitious parties), TUV PAPER
PRODUCT MANUFACTURERS 1-10
(fictitious parties), XYZ PAPER PRODUCT
DISTRIBUTORS 1-10 (fictitious parties),**

Defendant(s).

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY**

DOCKET NO.: ESX-L-

Civil Action

**DEMAND FOR THE PRODUCTION
STATEMENTS**

Pursuant to R. 4:10-2(c), demand is hereby made that the Defendants, disclose to the defendants provide the attorney filing this pleading with true and complete copies of any and all statements by any and all parties, witnesses, and persons with knowledge regarding the subject matter of this case. If your claim is of “privilege,” your response must still identify the date of the statement, the individuals providing and receiving the statement, and the reason you assert that the statement is privileged. This includes oral and written statements.

DE FRANK LAW GROUP, LLC.
Attorneys for Plaintiff

/s/ Peter J. De Frank

Dated: March 27, 2022

BY: _____
PETER DE FRANK, ESQ.

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PATRICIA SERRA,

Plaintiff,

v.

**CHINET, THE CHINET BRAND,
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COMPANY LLC., AHOLD DELHAIZE USA,
INC., JOHN DOES 1-10 (fictitious parties),
JANE DOES 1-10 (fictitious parties), ABC
CORPS. 1-10 (fictitious parties), TUV PAPER
PRODUCT MANUFACTURERS 1-10
(fictitious parties), XYZ PAPER PRODUCT
DISTRIBUTORS 1-10 (fictitious parties),**

Defendant(s).

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY**

DOCKET NO.: ESX-L-

Civil Action

STATEMENT OF DAMAGES

Pursuant to R. 4:5-2 the following is the amount of damages claimed in the above entitled
action:

\$500,000

DE FRANK LAW GROUP, LLC.
Attorneys for Plaintiff

/s/ Peter J. De Frank

Dated: March 27, 2022

BY: _____
PETER DE FRANK, ESQ.

**DEMAND FOR ANSWERS TO UNIFORM AND SUPPLEMENTAL
INTERROGATORIES**

PLEASE TAKE NOTICE that pursuant to Rule 4:17-1(b)(ii)(2), Plaintiff hereby demands answers to **Uniform Interrogatories Form C and Form C(1)** within sixty (60) days of the filing of Defendant's Answer to this Complaint.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 4:17-1(b)(i)(1) and Rule 4:17-2, Plaintiff hereby demands answers to the attached **Supplemental Interrogatories** within sixty (60) days of the filing of Defendant's Answer to this Complaint.

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CORPS. 1-10 (fictitious parties), TUV PAPER
PRODUCT MANUFACTURERS 1-10
(fictitious parties), XYZ PAPER PRODUCT
DISTRIBUTORS 1-10 (fictitious parties),**

Defendant(s).

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY**

DOCKET NO.: ESX-L-

Civil Action

**SUPPLEMENTAL
INTERROGATORIES**

S1. If you contend or will contend that the permanency of Plaintiff's injuries should not be evidential or be considered by the finder of fact, state with detail and with particularity and specificity each and every basis of fact or law upon which you will rely to support such contention.

ANSWER:

S2. Please identify any and all acknowledged and/or alleged prior personal injury incidents to any individuals within the last seven years involving a CHINET hot cup.

Your answer should include the name(s) of the individual(s) who allegedly fell, the date of the incident(s), identify the manager(s) on duty at the time of the accident, the location of the fall(s) as precisely as possible, the circumstances under which the fall(s) allegedly occurred, and whether

a lawsuit was filed, or the matter was settled out of court. If a lawsuit was filed, please provide the court docket number, the name of the plaintiff, identify the attorneys involved in the lawsuit, and the status/results of the litigation. You answer should also identify slip and fall accidents in which an individual never made a claim for injuries as well, including cases where suit was never filed, and the matter was not subject to a settlement prior to suit.

ANSWER:

S3. Please identify, list by page, and provide any and all documents in which you contend support that any prior or subsequent injury or condition caused any of Plaintiff's claimed injuries if it is your contention.

CERTIFICATION

I hereby certify that the foregoing answers to interrogatories are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

I hereby certify that the copies of the reports annexed hereto provided by either treating physicians or proposed expert witnesses are exact copies of the entire report or reports provided by them; that the existence of other reports of said doctors or experts, written or oral, are unknown to me, and if such become later known or available, I shall serve them promptly on the propounding party.

DATED:

DE FRANK LAW GROUP, LLC.
PETER J. DE FRANK, ESQ. – 035282007
50 Packanack Lake Road
Wayne, New Jersey 07470
Tel. (973) 696 – 1900
Fax. (973) 238 -5123
pdefrank@defranklawgroup.com
ecourts@defranklawgroup.com
Attorneys for Plaintiff

PATRICIA SERRA,

Plaintiff,

v.

**CHINET, THE CHINET BRAND,
HUHTAMAKI, HUHTAMAKI AMERICAS,
INC., THE STOP & SHOP SUPERMARKET
#2818, THE STOP & SHOP SUPERMARKET
#0860, THE STOP & SHOP SUPERMARKET
#0888, THE STOP & SHOP SUPERMARKET
COMPANY LLC., THE STOP & SHOP
SUPERMARKET LLC., THE STOP & SHOP
COMPANY LLC., AHOLD DELHAIZE USA,
INC., JOHN DOES 1-10 (fictitious parties),
JANE DOES 1-10 (fictitious parties), ABC
CORPS. 1-10 (fictitious parties), TUV PAPER
PRODUCT MANUFACTURERS 1-10
(fictitious parties), XYZ PAPER PRODUCT
DISTRIBUTORS 1-10 (fictitious parties),**

Defendant(s).

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY**

DOCKET NO.: ESX-L-

Civil Action

NOTICE TO PRODUCE

DEFINITIONS AND INSTRUCTIONS

1. The term “plaintiff” or “plaintiffs” refers to each plaintiff in this action include a personal representative, the term “plaintiff” refers to the decedent represented.
2. The term “documents” means all writings of any kind, including the originals, all copies, and all non-identical copies, whether different from the original by reason of any notation made on such copies, or otherwise, and includes, without limitation, agenda, announcements, photographs, audit sheets, agreements, accountant’s worksheets, bids, bills, books, brochures, bulletins, contracts, communications, computer print-outs, correspondence, checks, charts, diaries, drafts, estimates, graphs, inter and intra-office communications, invoices, letters, memoranda, manuals, minutes or summaries of meeting, MAG cards, MTST tapes, floppy disks, notes, notations of telephone calls, offers, proposals, prospectuses, returns, resolutions,

statements (including without limitation, checking accounts, savings accounts, certified and uncertified financial) sketches, schedules, studies, statistics, stenographic notes, summaries, tabulations, tax returns (including without limitation federal, state and local tax returns, federal and state gift tax returns and federal and state estate tax returns), telephone call slips, telegrams, telexes, teletypes, worksheets, periodicals, drawings, accounting journals, purchase orders, inventory records or cards, traveling requisitions and bills of lading.

3. The term “document” includes all drafts’ alterations, modifications, changes, and amendments of any of the items listed in Paragraph 2 and includes graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings, motions pictures) and electronic, mechanical, or electric records or representations of any kind (including without limitation tapes, cassettes, discs, recordings).

4. The term “documents” refers to all items set forth in Paragraphs 2 and 3 above, known to or in the possession, custody of the recipient of this notice or subpoena, or any of its officers, directors, agents, attorneys, servants, employees, or representatives, and every such documents which can be located or discovered by reasonably diligent efforts.

5. The term “defendant” means any and all defendants in the within action. Note, however, that in responding to the within request, plaintiffs should indicate to which of the specific plaintiffs the documents relate.

6. This request is continuing request throughout the course of the litigation of the above-captioned matter. Accordingly, if at any time information requested herein becomes known to defendants such information is to be forwarded to counsel for this plaintiff.

7. Defendants are to respond separately, within thirty days, to each paragraph of this request.

DOCUMENTS REQUESTED

1. Any and all statements made by any party to this lawsuit, their agents, representatives, or employees, whether written or oral. If you are claiming a privilege, please state so specifically. Nonetheless, the existence of a statement, including the date taken must be provided.

* If you claim privileged, you must state so specifically. Your answer must still identify the existence of any and all statements, including the date of the statement, the individuals making said statement(s), and individuals present for said statement.

2. Any and all oral and written statements made by any witnesses to the events described in any and all of the paragraphs of the cause of action.

* If you claim privileged, you must state so specifically. Your answer must still identify the existence of any and all statements, including the date of the statement, the individuals making said statement(s), and individuals present for said statement.

3. Any and all statements made by any person other than witnesses or parties which relate or refer in any way to the cause of action.

* If you claim privileged, you must state so specifically. Your answer must still identify the existence of any and all statements, including the date of the statement, the individuals making said statement(s), and individuals present for said statement.

4. Any and all written reports rendered by plaintiff (s) and defendant (s) proposed expert witnesses, including, but not limited to any medical expert witnesses intended or not intended to be called at the time of trial.

5. Any and all books, treaties, commentaries, reports, statutes, codes, ordinances, rules, regulations, or other published documents referred to and utilized by or relied upon by any expert witness whom plaintiff(s) and defendants (s) intend(s) to call at trial.

6. Any and all blueprints, charts diagrams, drawings, graphs, maps, plats, plans, photographs, models or other visual reproductions of any object, place or thing prepared or utilized by, referred to or relied upon by any expert witnesses whom plaintiff(s) and defendant(s) intend(s) to call at time of trial.

7. Photostat copy of any photographs or surveys of the scene of the accident or of any objects or persons involved therein whether in the possession of the attorney, or in the possession of any representatives of the insurance carriers, taken on the date of the incident, within the three (3) months prior or subsequent to the incident, and taken in furtherance of an investigation of the incident.

8. A copy of any and all written report or summaries of oral reports, as well as copies of the curriculum vitae, of any and all experts that have been supplied to plaintiff's and defendant's attorneys, whose testimony will be offered at time of the Trial in the above captioned matter.

9. A copy of any and all emergency room records and bills, as well as other hospital medical records and bills regarding any medical treatment received by plaintiff(s) which is alleged to relate to any injuries sustained.

10. Police or other Municipal, County, State or Federal investigative reports.

11. All liability experts' reports.

12. Any documents obtained from any party or any of its agencies, branches, or subdivisions.

13. Copies of any statements obtained from any witnesses, any party, any party's investigators, agents, servants, or employees; if oral, a complete summary of same.

14. Copies of any and all medical reports and bills from treating, consulting, or examining physicians.

15. Copies of any and all diagnostic tests, reports, summaries, and bills.

16. Copies of all interrogatories exchanged by the parties.

17. Copies of all depositions conducted in the case.

18. Copies of all Requests for Admissions and responses exchanged.

19. Copies of any Demands to Produce and responses exchanged.

20. Copies of all Court Orders.

21. Copies of any scheduling notice in this matter.

22. If amended pleadings have been filed, copies of all original pleadings.

23. Provide a detailed summary and/or provide any supporting documents relating to or demonstrating all insurance benefits available to the defendant as a result of this incident together with a summary of benefits paid to date.

24. Attach hereto copies of any and all documents demonstrating income continuation benefits or disability benefits of any kind and from any source to which the defendant was entitled as a result of this incident together with a summary or documents indicating benefits paid to date.

25. Provide a copy of any and all videotape recordings, photographs, films, visual reproductions of the plaintiff or any object, place or thing made in connection with this matter.

26. A copy of any and all incident reports for the incident that forms the basis for Plaintiff's Complaint.

27. Copies of any and all reports, memos, logs, and minutes generated from investigations of the incident that forms the basis for Plaintiff's Complaint.

28. Copies of any and all documents, guidebooks, manuals, handbooks, videos, and/or training modules/materials in effect on the date of the incident including, but not limited to, contracts and correspondences regarding the Chinnet cup/hot cup including, but not limited to, the creation, manufacture, design, distribution, marketing, production, inspection, packaging, and/or selling of the defective product set forth in Plaintiff's Complaint.

30. Copies of any and all contracts by and between the parties within the past five (5) years.

29. Copies of any and all emails, letters, correspondence, and/or any other communications between all parties in this case, including their agents, servants, claims administrators, and/or employees within the last five (5) years regarding Chinnet cup/hot cup including, but not limited to, the creation, manufacture, design, distribution, marketing, production, inspection, packaging, and/or selling of the defective product set forth in Plaintiff's Complaint within the last five (5) years.

31. Copies of any and all documents, guidebooks, manuals, handbooks, videos, and/or training modules/materials that all address the safety of customers purchasing said product referenced in Plaintiff's Complaint.

32. Copies of any and all documents, guidebooks, manuals, handbooks, videos, and/or training modules/materials provided to the employees who were working on the date of the incident regarding the gates/doors and their counterparts including, but not limited to, the installation, repairs, maintenance, safety, inspection and upkeep.

33. Copies of any and all documents, guidebooks, manuals, handbooks, videos, and/or training modules/materials provided to the owners, managers, and employees who were present on the date of the incident, and the date prior to the incident, pertaining to recommended policy and procedures regarding unsafe conditions removal/inspection/prevention, property management, operations, safety, and upkeep of the interior and exterior of the premises, including but not limited to, the gates/doors and their counterparts.

34. Copies of any and all documents reflecting any checklists/logs for unsafe conditions removal/inspection/prevention, property management, operations, safety, and upkeep of the interior and exterior of the premises, including but not limited to, the gates/doors and their counterparts, for the date of the incident, the six months prior, and the three months after the incident, while employees/staff members perform his or her job duties.

30. Copies of any and all documents, guidebooks, manuals, handbooks, videos, and/or training modules/materials that at all relate to operations that were in place, effective, and/or in

circulation at the time of the incident to prevent unsafe conditions caused by Chinet cup/hot cup, but not limited to, during their creation, manufacture, design, distribution, marketing, production, inspection, packaging, and/or selling of the defective product set forth in Plaintiff's Complaint.

31. Copies of any and all documents, including correspondence(s) and invoice(s) between the parties regarding Chinet cup/hot cup including, but not limited to, the creation, manufacture, design, distribution, marketing, production, inspection, packaging, and/or selling of the defective product set forth in Plaintiff's Complaint, within the last five (5) years.

32. A copy of any and all pleadings from any and all personal injury cases in which any defendant was named as a defendant for incidents with defective products, including but not limited to, Chinet cup/hot cup including, but not limited to, the creation, manufacture, design, distribution, marketing, production, inspection, packaging, and/or selling of the defective product set forth in Plaintiff's Complaint, within the last seven (7) years.

35. Copies of any and all documents, guidebooks, manuals, handbooks, videos, and/or training modules that containing the number of lawsuits filed against each defendant claiming personal injuries within the last five (5) years.

36. Copies of any and all documents, guidebooks, manuals, handbooks, videos, and/or training modules referencing the elimination of and or limiting of personal injury incidents within the last seven (7) years.

37. Copies of any and all pictures depicting the defective product, the subject of the instant matter.

38. Copies of any and all investigation reports regarding the present matter.

39. Copies of any and all documents, guidebooks, manuals, handbooks, videos, and/or training modules/materials that at all relate to the procedures/policies in the event that an individual is injured while using a Chinet cup/hot cup.

40. Copies of any and all books, treatises, commentaries, reports, statutes, codes, ordinances, rules, regulations, or other published documents referred to, utilized by, and/or relied upon by any expert witness that any party intends to call at the time of arbitration and/or trial.

DE FRANK LAW GROUP, LLC.
Attorneys for Plaintiff

/s/ Peter J. De Frank

Dated: March 27, 2022

BY: _____
PETER DE FRANK, ESQ.

Civil Case Information Statement

Case Details: ESSEX | Civil Part Docket# L-001938-22

Case Caption: SERRA PATRICIA VS CHINET

Case Initiation Date: 03/28/2022

Attorney Name: CORTNEY L JONKER

Firm Name: DE FRANK LAW GROUP, LLC.

Address: 50 PACKANACK LAKE RD EAST
WAYNE NJ 07470

Phone: 9736961900

Name of Party: PLAINTIFF : SERRA, PATRICIA

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: PERSONAL INJURY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Are sexual abuse claims alleged by: PATRICIA SERRA? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

03/28/2022

Dated

/s/ CORTNEY L JONKER

Signed

EXHIBIT B

SERRA, PATRICIA et al.

Plaintiff

Superior Court of New Jersey

vs.

Venue ESSEX

Chinet et al.

Defendant

Docket Number ESX-L-1938-22

Person to be served (Name & Address):

The Stop & Shop Supermarket #2818
25 Kinnelon Road
Kinnelon, NJ 07405

AFFIDAVIT OF SERVICE

(For Use by Private Service)

Attorney:

Peter De Frank, Esq.

Cost of Service pursuant to R. 4:4-3(c)

\$ _____

Papers Served:

Summons and Complaint

Service Data:

Served Successfully ☒ Not Served _____

Date: 4/27/22 Time: 1145 AM

Attempts: _____

_____ Delivered a copy to him / her personally

Name of Person Served and relationship / title:

_____ Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)

ALISON PASSARO
ASST MGR

☒ Left a copy with a person authorized to accept service, e.g., managing agent, registered agent, etc.
(Indicate name & official title at right)

Description of Person Accepting Service:

Sex: F Age: 35 Height: 5'5" Weight: 130 Skin Color: LT Hair Color: DK

Unserved:

- () Defendant is unknown at the address furnished by the attorney
() All reasonable inquiries suggest defendant moved to an undetermined address
() No such street in municipality
() No response on: _____ Date _____ Time _____
_____ Date _____ Time _____
() Other: _____ Comments or Remarks _____

Server Data:

Subscribed and Sworn to me this 2022
27 day of APRIL

Notary Signature

Name of Notary / commission expiration

Ronald J. Hall
RONALD J. HALL
NOTARY PUBLIC OF NEW JERSEY
ID # 2453805
Commission Expires 10/19/2025

MITCH DALOISO
I, <Name of Server>, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

Mitch Daloiso 4/27/22

Signature of Process Server

Date

SERRA, PATRICIA et al.

Plaintiff

Superior Court of New Jersey

vs.

Venue ESSEX

Chinet et al.

Defendant

Docket Number ESX-L-1938-22

Person to be served (Name & Address):

The Stop & Shop Supermarket #0860
4 Union Avenue
Haskell, NJ 07420

AFFIDAVIT OF SERVICE

(For Use by Private Service)

Attorney:

Peter De Frank, Esq.

Cost of Service pursuant to R. 4:4-3(c)

\$ _____

Papers Served:

Summons and Complaint

Service Data:

Served Successfully ☒

Not Served ☐

Date: 4/27/22 Time: 11:30 PM

Attempts: _____

☐ Delivered a copy to him / her personally

Name of Person Served and relationship / title:

☐ Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)

JUAN OROSCO /
STORE MGR

☒ Left a copy with a person authorized to accept service, e.g., managing agent, registered agent, etc.
(Indicate name & official title at right)

Description of Person Accepting Service:

Sex: M Age: 40 Height: 5'8" Weight: 180 Skin Color: Md Hair Color: Blk

Unserved:

- () Defendant is unknown at the address furnished by the attorney
() All reasonable inquiries suggest defendant moved to an undetermined address
() No such street in municipality
() No response on: _____ Date _____ Time _____
_____ Date _____ Time _____
() Other: _____ Comments or Remarks _____

Server Data:

Subscribed and Sworn to me this
27 day of APRIL 2022

Ronald J Hall
Notary Signature

Name of Notary / commission expiration 10/19/25

RONALD J. HALL
NOTARY PUBLIC OF NEW JERSEY
ID # 2453805

Commission Expires 10/19/2025

MITCH DALBIO
I, <Name of Server>, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

Mitch Dalbio 4/27/22
Signature of Process Server **Date**

SERRA, PATRICIA et al. Plaintiff
vs. Defendant
Chinet et al.

Superior Court of New Jersey
Venue ESSEX
Docket Number ESX-L-1938-22

Person to be served (Name & Address):
The Stop & Shop Supermarket Company LLC.
1220 Hamburg Turnpike
Wayne, NJ 07470

AFFIDAVIT OF SERVICE
(For Use by Private Service)

Attorney:

Peter De Frank, Esq.

Cost of Service pursuant to R. 4:4-3(c)

\$ _____

Papers Served:

Summons and Complaint

Service Data:

Served Successfully ☒ Not Served _____

Date: 4/27/22 Time: 1100 AM

Attempts: _____

_____ Delivered a copy to him / her personally

Name of Person Served and relationship / title:

_____ Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)

BOB UNGER
N.R. MGR

☒ Left a copy with a person authorized to accept service, e.g., managing agent, registered agent, etc.
(Indicate name & official title at right)

Description of Person Accepting Service:

Sex: M Age: 60 Height: 5'10" Weight: 200 Skin Color: LT Hair Color: DK

Unserved:

- () Defendant is unknown at the address furnished by the attorney
() All reasonable inquiries suggest defendant moved to an undetermined address
() No such street in municipality
() No response on: _____ Date _____ Time _____
_____ Date _____ Time _____
() Other: _____ Comments or Remarks _____

Server Data:

Subscribed and Sworn to me this 27 day of APRIL 2022

Notary Signature

Name of Notary / commission expiration

Ronald J Hall
RONALD J. HALL
NOTARY PUBLIC OF NEW JERSEY
ID # 2453805
My Commission Expires 10/19/2025

MITCH DARLISIO
I, <Name of Server>, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

MITCH DARLISIO
Signature of Process Server

4/27/22
Date

SERRA, PATRICIA et al.

Plaintiff

Superior Court of New Jersey

vs.

Venue ESSEX

Docket Number ESX-L-1938-22

Chinet et al.

Defendant

Person to be served (Name & Address):

The Stop & Shop Company LLC.

1220 Hamburg Turnpike

Wayne, NJ 07470

AFFIDAVIT OF SERVICE

(For Use by Private Service)

Attorney:

Peter De Frank, Esq.

Cost of Service pursuant to R. 4:4-3(c)

\$ _____

Papers Served:

Summons and Complaint

Service Data:

Served Successfully ☒

Not Served _____

Date: 4/27/22 Time: 11:00am

Attempts: _____

_____ Delivered a copy to him / her personally

Name of Person Served and relationship / title:

_____ Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)

BOB UNGER /
N.P. - MGR

☒ Left a copy with a person authorized to accept service, e.g., managing agent, registered agent, etc.
(Indicate name & official title at right)

Description of Person Accepting Service:

Sex: M Age: 60 Height: 5'10" Weight: 200 Skin Color: LT Hair Color: DK

Unserved:

- () Defendant is unknown at the address furnished by the attorney
() All reasonable inquiries suggest defendant moved to an undetermined address
() No such street in municipality
() No response on: _____ Date _____ Time _____
_____ Date _____ Time _____
() Other: _____ Comments or Remarks _____

Server Data:

Subscribed and Sworn to me this

27 day of April 2022

Ronald J. Hall
Notary Signature

Name of Notary / commission expiration

RONALD J. HALL
NOTARY PUBLIC OF NEW JERSEY
ID # 2453805
Commission Expires 10/19/2025

MITCH DALOISO
I, <Name of Server>, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

mdm 4/27/22

Signature of Process Server

Date

SERRA, PATRICIA et al.
vs.
Chinet et al.

Plaintiff
Defendant

Superior Court of New Jersey
Venue ESSEX
Docket Number ESX-L-1938-22

Person to be served (Name & Address):
The Stop & Shop Supermarket #0888
1220 Hamburg Turnpike
Wayne, NJ 07470

AFFIDAVIT OF SERVICE

(For Use by Private Service)

Attorney:

Peter De Frank, Esq.

Cost of Service pursuant to R. 4:4-3(c)

\$ _____

Papers Served:

Summons and Complaint

Service Data:

Served Successfully ☒ Not Served _____

Date: 4/27/22 Time: 1100AM

Attempts: _____

_____ Delivered a copy to him / her personally

Name of Person Served and relationship / title:

_____ Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)

BOB UNGER /
MR MGR

☒ Left a copy with a person authorized to accept service, e.g., managing agent, registered agent, etc.
(Indicate name & official title at right)

Description of Person Accepting Service:

Sex: M Age: 60 Height: 5'10" Weight: 200 Skin Color: LT Hair Color: Dr

Unserved:

- () Defendant is unknown at the address furnished by the attorney
() All reasonable inquiries suggest defendant moved to an undetermined address
() No such street in municipality
() No response on: _____ Date _____ Time _____
_____ Date _____ Time _____
() Other: _____ Comments or Remarks _____

Server Data:

Subscribed and Sworn to me this 27 day of April 2022

Notary Signature

Name of Notary / commission expiration

Ronald J. Hall
RONALD J. HALL
NOTARY PUBLIC OF NEW JERSEY
ID # 2453805
My Commission Expires 10/19/2025

MITCH DALOISIO
I, <Name of Server>, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

[Signature] 4/27/22
Signature of Process Server Date

<Insert Private Server's name, address and telephone number.>

SERRA, PATRICIA et al. Plaintiff
vs.
Chinet et al. Defendant

Superior Court of New Jersey
Venue ESSEX
Docket Number ESX-L-1938-22

Person to be served (Name & Address):

Huhtamaki
9201 Packaging Drive
De Soto, KS 66018

AFFIDAVIT OF SERVICE

(For Use by Private Service)

Attorney:

Peter De Frank, Esq.

Cost of Service pursuant to R. 4:4-3(c)

\$ _____

Papers Served:

Summons and Complaint

Service Data:

Served Successfully ☒ Not Served _____

Date: 8/10/22 Time: 1:28pm

Attempts: _____

_____ Delivered a copy to him / her personally

Name of Person Served and relationship / title:

_____ Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)

Hope Winford
Authorized Agent

☒ Left a copy with a person authorized to accept service, e.g., managing agent, registered agent, etc.
(Indicate name & official title at right)

Description of Person Accepting Service:

Sex: F Age: 35 Height: 5'6" Weight: 140 Skin Color: W Hair Color: Brn

Unserved:

- () Defendant is unknown at the address furnished by the attorney
() All reasonable inquiries suggest defendant moved to an undetermined address
() No such street in municipality
() No response on: _____ Date _____ Time _____
_____ Date _____ Time _____
() Other: _____ Comments or Remarks _____

Server Data:

Subscribed and Sworn to me this
10 day of Aug. 2022

I, <Name of Server>, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

[Signature] 8-10-22
Signature of Process Server Date

Notary Signature

Notary Public, State of Kansas
Roxanne Hidaka
My Appt. Expires _____

<Insert Private Server's name, address and telephone number.>

SERRA, PATRICIA et al.

Plaintiff

Superior Court of New Jersey

vs.

Venue ESSEX

Chinet et al.

Defendant

Docket Number ESX-L-1938-22

Person to be served (Name & Address):

Huhtamaki Americas, Inc.

9201 Packaging Drive

De Soto, KS 66018

AFFIDAVIT OF SERVICE

(For Use by Private Service)

Attorney:

Peter De Frank, Esq.

Cost of Service pursuant to R. 4:4-3(c)

\$ _____

Papers Served:

Summons and Complaint

Service Data:

Served Successfully ☒

Not Served _____

Date: 8/10/22 Time: 1:28 pm

Attempts: _____

_____ Delivered a copy to him / her personally

Name of Person Served and relationship / title:

_____ Left a copy with a competent household member over 14 years of age residing therein (indicate name & relationship at right)

Hope Winford
Authorized Agent

☒ Left a copy with a person authorized to accept service, e.g., managing agent, registered agent, etc.
(Indicate name & official title at right)

Description of Person Accepting Service:

Sex: F Age: 35 Height: 5'6 Weight: 140 Skin Color: W Hair Color: Brn

Unserved:

() Defendant is unknown at the address furnished by the attorney

() All reasonable inquiries suggest defendant moved to an undetermined address

() No such street in municipality

() No response on: _____ Date _____ Time _____

_____ Date _____ Time _____

() Other: _____ Comments or Remarks _____

Server Data:

Subscribed and Sworn to me this

10 day of Aug. 2022

I, <Name of Server>, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

[Signature] 8-10-22
Signature of Process Server Date



<Insert Private Server's name, address and telephone number.>

EXHIBIT C

Case Summary

Case Number: ESX L-001938-22		
Case Caption: Serra Patricia Vs Chinet		
Court: Civil Part	Venue: Essex	Case Initiation Date: 03/28/2022
Case Type: Personal Injury	Case Status: Active	Jury Demand: 6 Jurors
Case Track: 2	Judge: Mayra V Tarantino	Team: 2
Original Discovery End Date:	Current Discovery End Date:	# of DED Extensions: 0
Original Arbitration Date:	Current Arbitration Date:	# of Arb Adjournments: 0
Original Trial Date:	Current Trial Date:	# of Trial Date Adjournments: 0
Disposition Date:	Case Disposition: Open	Statewide Lien:

Plaintiffs

Patricia Serra

Party Description: Individual

Address Line 1:

Address Line 2:

Attorney Name: Courtney L Jonker

Attorney Bar ID: 302832019

City: State: NJ

Zip: 00000

Phone:

Attorney Email: CJONKER@DEFRAKLAWGROU.COM

Defendants

The Stop & Shop Company Llc.

Party Description: Business

Address Line 1:

Address Line 2:

Attorney Name:

Attorney Bar ID:

City: State: NJ

Zip: 00000

Phone:

Attorney Email:

Ahold Delhaize Usa,Inc.

Party Description: Business

Address Line 1:

Address Line 2:

Attorney Name:

Attorney Bar ID:

City: State: NJ

Zip: 00000

Phone:

Attorney Email:

John Does 1-10

Party Description: Fictitious

Address Line 1:

Address Line 2:

Attorney Name:

Attorney Bar ID:

City: State: NJ

Zip: 00000

Phone:

Attorney Email:

Jane Does 1-10

Party Description: Fictitious

Address Line 1:

Address Line 2:

Attorney Name:

Attorney Bar ID:

City: State: NJ

Zip: 00000

Phone:

Attorney Email:

Abc Corps 1-10

Party Description: Fictitious

Address Line 1:

Address Line 2:

Attorney Name:

Attorney Bar ID:

City: State: NJ

Zip: 00000

Phone:

Attorney Email:

Nufacture R Tuv Paper Product Ma

Party Description: Fictitious

Address Line 1:

Address Line 2:

Attorney Name:

Attorney Bar ID:

City: State: NJ

Zip: 00000

Phone:

Attorney Email:

Stributor S Xyz Paper Product Di

Party Description: Fictitious		Attorney Name:
Address Line 1:	Address Line 2:	Attorney Bar ID:
City:	State: NJ	Zip: 00000
Attorney Email:		Phone:
Chinet		

Party Description: Business		Attorney Name:
Address Line 1:	Address Line 2:	Attorney Bar ID:
City:	State: NJ	Zip: 00000
Attorney Email:		Phone:
The Chinet Brand		

Party Description: Business		Attorney Name:
Address Line 1:	Address Line 2:	Attorney Bar ID:
City:	State: NJ	Zip: 00000
Attorney Email:		Phone:
Huhtamaki		

Party Description: Business		Attorney Name:
Address Line 1:	Address Line 2:	Attorney Bar ID:
City:	State: NJ	Zip: 00000
Attorney Email:		Phone:
Huhtamaki Americas,Inc.		

Party Description: Business		Attorney Name:
Address Line 1:	Address Line 2:	Attorney Bar ID:
City:	State: NJ	Zip: 00000
Attorney Email:		Phone:
The Stop&Shop Supermarket #281		

Party Description: Business		Attorney Name:
Address Line 1:	Address Line 2:	Attorney Bar ID:
City:	State: NJ	Zip: 00000
Attorney Email:		Phone:
The Stop&Shop Supermarket #086		

Party Description: Business		Attorney Name:
Address Line 1:	Address Line 2:	Attorney Bar ID:
City:	State: NJ	Zip: 00000
Attorney Email:		Phone:
The Stop&Shop Supermarket #088		

Party Description: Business		Attorney Name:
Address Line 1:	Address Line 2:	Attorney Bar ID:
City:	State: NJ	Zip: 00000
Attorney Email:		Phone:
The Stop & Shop Supermarket Co		

Party Description: Business		Attorney Name:
Address Line 1:	Address Line 2:	Attorney Bar ID:
City:	State: NJ	Zip: 00000
Attorney Email:		Phone:
The Stop & Shop Supermarket LI		

Party Description: Business		Attorney Name:
Address Line 1:	Address Line 2:	Attorney Bar ID:
City:	State: NJ	Zip: 00000
Attorney Email:		Phone:

Case Actions

Filed Date	Docket Text	Transaction ID	Entry Date
03/28/2022	Complaint with Jury Demand for ESX-L-001938-22 submitted by JONKER, CORTNEY L, DE FRANK LAW GROUP, LLC. on behalf of PATRICIA SERRA against CHINET, THE CHINET BRAND, HUHTAMAKI, HUHTAMAKI AMERICAS, INC., THE STOP&SHOP SUPERMARKET #281 ET AL.	LCV20221251234	03/28/2022
03/29/2022	TRACK ASSIGNMENT Notice submitted by Case Management	LCV20221268339	03/29/2022
04/28/2022	AFFIDAVIT OF SERVICE submitted by JONKER, CORTNEY, L of DE FRANK LAW GROUP, LLC. on behalf of PATRICIA SERRA against THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., THE STOP & SHOP SUPERMARKET LL, THE STOP&SHOP SUPERMARKET #086, THE STOP&SHOP SUPERMARKET #281 ET AL.	LCV20221710157	04/28/2022
08/06/2022	LACK OF PROSECUTION DISMISSAL WARNING Notice submitted by Case Management	LCV20222850149	08/06/2022
08/22/2022	AFFIDAVIT OF SERVICE submitted by JONKER, CORTNEY, L of DE FRANK LAW GROUP, LLC. on behalf of PATRICIA SERRA against HUHTAMAKI, HUHTAMAKI AMERICAS, INC.	LCV20223039099	08/22/2022
08/24/2022	REQUEST FOR DEFAULT submitted by JONKER, CORTNEY, L of DE FRANK LAW GROUP, LLC. on behalf of PATRICIA SERRA against THE STOP & SHOP COMPANY LLC., AHOLD DELHAIZE USA, INC., THE STOP&SHOP SUPERMARKET #281, THE STOP&SHOP SUPERMARKET #086, THE STOP&SHOP SUPERMARKET #088 ET AL.	LCV20223070020	08/24/2022
08/25/2022	Default has been entered against the following party/parties: THE STOP&SHOP SUPERM ARKET #28 1	LCV20223090911	08/25/2022
08/25/2022	Default has been entered against the following party/parties: THE STOP&SHOP SUPERM ARKET #08 6	LCV20223090913	08/25/2022
08/25/2022	Default has been entered against the following party/parties: THE STOP&SHOP SUPERM ARKET #08 8	LCV20223090915	08/25/2022
08/25/2022	Default has been entered against the following party/parties: THE STOP & SHOP SUPE RMARKET C O	LCV20223090917	08/25/2022
08/25/2022	Default has been entered against the following party/parties: THE STOP & SHOP SUPE RMARKET L L	LCV20223090919	08/25/2022
08/25/2022	Default has been entered against the following party/parties: THE STOP & SHOP COMP ANY LLC.	LCV20223090921	08/25/2022
08/25/2022	Default has been entered against the following party/parties: AHOLD DELHAIZE USA, INC.	LCV20223090923	08/25/2022

EXHIBIT D

PORZIO, BROMBERG & NEWMAN, P.C.

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jakelliher@pbnlaw.com
Attorneys for Defendant Huhtamaki Americas, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

PATRICIA SERRA,

Plaintiff,

v.

CHINET, THE CHINET BRAND,
HUHTAMAKI, HUHTAMAKI AMERICAS,
INC., THE STOP & SHOP SUPERMARKET
#2818, THE STOP & SHOP
SUPERMARKET #0860, THE STOP &
SHOP SUPERMARKET #0888, THE STOP
& SHOP SUPERMARKET COMPANY
LLC., THE STOP & SHOP SUPERMARKET
LLC., THE STOP & SHOP COMPANY LLC.,
AHOLD DELHAIZE USA, INC., JOHN
DOES 1-10 (fictitious parties), JANE DOES 1-
10 (fictitious parties), ABC CORPS. 1-10
(fictitious parties), TUV PAPER PRODUCT
MANUFACTURERS 1-10 (fictitious parties),
XYZ PAPER PRODUCT DISTRIBUTORS 1-
10 (fictitious parties) ,

Defendants.

**Removed from New Jersey Superior Court,
Law Division, Essex County
Docket No. ESX-L-1938-22**

Civil Action No.

NOTICE OF REMOVAL

**NOTICE TO CLERK OF SUPERIOR COURT OF FILING OF
NOTICE OF REMOVAL**

TO: Clerk, Superior Court of New Jersey

PLEASE TAKE NOTICE that in accordance with 28 U.S.C. §1446, Defendant, Huhtamaki Americas, Inc., has removed this action from the Superior Court of New Jersey, Essex County, Law Division, to the United States District Court for the District of New Jersey, Newark Vicinage. Attached hereto as **Exhibit A** and made a part hereof is a copy of the Notice of Removal that was filed in the United States District Court for the District of New Jersey.

Dated: September 2, 2022

PORZIO, BROMBERG & NEWMAN, P.C.
Attorneys for Defendant Huhtamaki Americas Inc.

By: s/Roy Alan Cohen
Roy Alan Cohen, Esq.
Jennifer A. Kelliher, Esq.
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CERTIFICATION OF SERVICE

I hereby certify that on this date a copy of the foregoing was served upon counsel for Plaintiff, by electronic filing on eCourts and electronic mail addressed as follows:

Peter J. De Frank, Esq.
De Frank Law Group
50 Packanack Lake Road
Wayne, NJ 07470
pdefrank@defranklawgroup.com
ecourts@defranklawgroup.com

DATE: September 2, 2022

/s/ Roy Alan Cohen
ROY ALAN COHEN, ESQ.